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9 INFORMATION SERVICES LLC

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

KENNETH E. SMITH,

Plaintiff,

vs.

CITIFINANCIAL; CITIBANK  
USA, NA; TRANS UNION, LLC;  
EQUIFAX INFORMATION  
SERVICES, LLC and EXPERIAN  
INFORMATION SOLUTIONS,  
INC.,

Defendants.

)  
)  
) Case No. C 06 2966 CW  
) AMENDED

) STIPULATION OF DISMISSAL  
) WITH PREJUDICE AS TO  
) DEFENDANT EQUIFAX  
) and  
) ~~[PROPOSED]~~ ORDER

IT IS HEREBY STIPULATED AND AGREED, by and between the parties hereto, through their respective counsel of record, that any and all claims of the Plaintiff against Defendant Equifax Information Services LLC ("EIS") are hereby dismissed with prejudice.

IT IS FURTHER STIPULATED AND AGREED that the Court is hereby authorized and requested to execute and enter the Order of Dismissal herein and to make

1 all such orders and judgments which may be necessary and proper to dismiss the above-  
2 titled action against EIS with prejudice.

3 **IT IS FURTHER STIPULATED AND AGREED** that each of the parties to this  
4 stipulation shall bear and pay all costs and expenses heretofore incurred or to be incurred  
5 by each respectively in connection with said action.

6 Kemnitzer Anderson Barron &  
7 Ogilvie LLP

8 DATED: January 18, 2007

9 /s/ Andrew J. Ogilvie  
10 Andrew J. Ogilvie  
11 Attorney for plaintiff, KENNETH SMITH

12 NOKES & QUINN

13 Dated: January 18, 2007

14 /s/ Thomas P. Quinn, Jr  
15 THOMAS P. QUINN, JR,  
16 Attorney for Defendant EQUIFAX  
17 INFORMATION SERVICES LLC

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20 **ORDER OF DISMISSAL**

21 CONSIDERING the foregoing Stipulation of Dismissal with Prejudice;

22 IT IS ORDERED, ~~ADJUDGED AND DECREED~~ that the claims and demands of  
23 Plaintiff KENNETH SMITH against Defendant EQUIFAX INFORMATION SERVICES  
24 LLC are hereby DISMISSED WITH PREJUDICE, each party to bear its own costs.

25 1/23/07

26 DATED: \_\_\_\_\_



27 Claudia Wilken  
28 Judge, United States District Court